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No Criminal Charges To Be Sought In Brain Harvesting Investigation

United States Attorney Paula D. Silsby and Maine Special Assistant Attorney General Richard W. Murphy announced today that they have concluded their respective investigations into the brain harvesting and donation activities that took place at the Maine Medical Examiner's Office during 1999 through 2003. Neither will seek to institute criminal charges.

The State's investigation began in 2004 after allegations came to the attention of the Attorney General's Office that brains removed from bodies in the possession of the Maine Medical Examiner's Office for autopsies had been sent to the Stanley Medical Research Institute in Maryland without securing appropriate consent from the next of kin. At the end of 2004, Attorney General G. Steven Rowe appointed a special assistant attorney general not employed by his Office to oversee the state investigation and conduct an independent prosecutorial review of the matter. This was done in view of the fact that the Medical Examiner's Office is a component of the Department of the Attorney General. Around that same time, U.S. Attorney Silsby's office opened an investigation into the same activity to determine whether any federal criminal violations had occurred.

During the past two years an extensive joint investigation has been conducted. In order to ensure that the investigation was completed in a way that avoided any concerns about independence, Murphy stated that to the extent possible he worked cooperatively with federal investigators to carry on and conclude the investigation that had been started by the Attorney General's Office of Investigations. He thanked U.S. Attorney Silsby and the Federal Bureau of Investigation for their assistance and support during the investigation. Murphy has communicated his decision to Attorney General Rowe, and has closed the investigation.

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